



THE CLAYPOOL LAW FIRM

Trial Lawyers



July 31, 2019

Xavier Becerra, Attorney General
California Attorney General's Office
California Department of Justice
1300 I Street
Sacramento, CA 95814-2919

Dear Mr. Becerra:

My name is Brian Claypool, owner of the Claypool Law Firm. I am a nationally regarded trial attorney and media analyst based in Pasadena, CA. I work on cases involving social justice including #metoo movement cases stemming from sexual assault, sexual harassment, and abuse of power. My firm represents the family of Anthony Avalos a 10-year-old child who was allegedly tortured and murdered by his mother Heather Barron and her boyfriend Kareem Leiva. The mother has been charged with first-degree murder and the boyfriend has been charged with torture and first-degree murder. The Los Angeles County District attorney will be deciding in August if she will be pursuing the death penalty against the boyfriend. (The People of the State of California v. Kareem Ernesto Leiva, et al.).

We represent the father of Anthony Avalos (Victor Avalos) and Anthony's uncle David Barron who is the special administrator of Avalos' estate in the survivor's death lawsuit. We learned through our review of internal DCFS records and extensive grand jury testimony that despite 13 reports of suspected child abuse (some included sexual abuse) DCFS social workers willfully failed to permanently remove Anthony and his siblings from this dangerous home. There were countless red flags including credible reports of sexual abuse and DCFS workers personally witnessed Heather Barron carrying out abuse on Anthony and 3 other siblings. We also represent the other 3 siblings. These are patent civil rights violations and DCFS violated their mandatory duties to report the abuse and safeguard Anthony and his siblings.

We also have a recording of a Los Angeles County DCFS social worker calling into the child abuse hotline to convey a credible report of child abuse against Anthony and you can hear her laughing and making a joke about the abuse. Anthony died of bleeding to the brain after being dropped multiple times by Leiva on his

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head. I have personally reviewed over 60 photographs of Anthony's body confirming he was badly bruised from head to toe.

In mid-2013, Gabriel Fernandez was tortured and murdered stemming from the same Lancaster/Palmdale DCFS office. There were countless red flags of physical and sexual abuse of Gabriel Fernandez and yet social workers knowingly failed to permanently remove Gabriel from this dangerous home. The mother and the boyfriend were convicted of first-degree murder. LA County DCFS routinely farms out abused children in need of therapy to a private agency, Hathaway-Sycamores Child and Family services. Attached is the shocking testimony given under oath at a preliminary hearing on February 15, 2017 of three LA County DCFS workers by Barbara Dixon (marriage and family therapist) in which she repeatedly stated that she was instructed by her supervisors to not immediately contact law enforcement when she had reasonable suspicion of child/sexual abuse. We are requesting that your office launch an audit into all cases in which Barbara Dixon and possibly other therapists at Hathaway counseled children. There is a pattern of Hathaway supervisors and the counselors knowingly breaking the mandatory reporter law at the expense of child safety. Shockingly, nobody has investigated this criminal conduct.

Most recently on July 5, 2019, four-year-old Noah Cuatro died after multiple red flags of physical and sexual abuse. In fact, an LA county social worker in early May 2019 filed a 26-page petition with the dependency court to have Noah removed from the parent's home. Shortly after, a juvenile dependency court judge issued a 10-page order instructing LA County DCFS to immediately remove Noah and return him to his great grandmother Eva Hernandez. We represent Eva Hernandez.

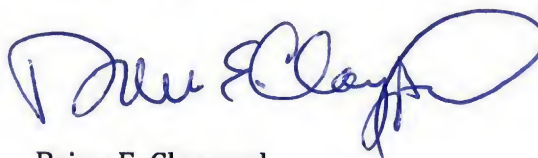
LA County DCFS supervisors obstructed justice by knowingly and willfully failing to implement the court order. They did not immediately remove Noah from the home in violation of the court order, and now he is dead as a result of that. Family members have confirmed that Noah's body was badly bruised due to the trauma. The parents have falsely reported to the media that Noah died due to accidental drowning. Can someone explain how a 4-year-old boy ends up dead with a bruised body consistent with trauma and nobody has been criminally implicated despite Los Angeles County DCFS supervisors willfully disobeying a court order to return Noah to his great grandmother and after it was credibly reported that Noah had been sexually molested? It is staggering that no arrests have been made in the suspicious death of Noah Cuatro. We have also learned that 8 other children in 2018 died after LA County DCFS intervened due to reports of suspected child abuse.

In light of the above, we are requesting that your office launch an immediate state investigation into years of state and federal and constitutional civil rights violations against many deceased children. There have been no criminal investigations of social workers arising from the murder of Anthony Avalos, and those social workers who obstructed justice by willfully violating a court order to remove Noah Cuatro from his parent's home. A blue-ribbon commission authored a 300-page report outlining systemic failures within LA County DCFS after the murder

of Gabriel Fernandez. Soon after the murder of Anthony Avalos, the state of CA issued a 43-page audit report again confirming an ongoing systemic pattern of malfeasance and deliberate indifference by LA County social workers/supervisors. Nothing will change to protect these kids absent a truly "independent" investigation.

The community deserves the criminal prosecution of those responsible for carrying out an ongoing practice of state and federal civil rights violations against these helpless children. I look forward to your cooperation in this matter. Please feel free to reach out to me to discuss this further. I can be reached at the office at (626) 345-5480 and on my cell phone number (626) 664-9489.

Very Truly Yours,



Brian E. Claypool